

United States District Court
Southern District of Texas
Corpus Christi Division

United States Courts
Southern District of Texas
FILED

JUN 17 2020

David J. Bradley, Clerk of Court

Ms. Bobbie David Haverkamp
Plaintiff

vs

Civil action 2:17-cv-18

CMHC of UTMB
Defendants

Objection to
D.E. 158 under Deception

To the Honorable Judge of said Court,

Now comes,

Ms. Bobbie AKA the Plaintiff and objects to the Defendants late and
misplaced motion to dismiss the present civil action.

In situations such as this, its a created confusion by the
Defendants to pull the argument to a area that has nothing to do
with the civil action that asks for nothing more than to produce
the standard of care for the treatment of Gender Dysphoria that is
acceptable in the medical community for the treatment of a Transsexual
woman

procedural errors to dismiss. I object. We are past procedural in the District Court, Fed civil action 2:17-cv-18, we are at the 5th Circuit. The new members are bound to the CMLC as a group. The group elected the Texas Attorney General to represent them, the group then their lawyer signed off on the FCPD 12 motions, the District Court declined to adopt the motion to dismiss — stated the Plaintiff stated a claim for relief.

How Hower am I missing something? No matter what claims the new members bring forward, the claims cannot defeat the fact the Plaintiff stated a claim for relief, the Defendants are remaining spine on the Plaintiff. End of story.

Summary

The Plaintiff advances that the D.F. 158 is a sham due to the fact the Federal Rules of Civil Procedure does not allow a motion to dismiss to proceed after the District Court denies the Defendants motion to dismiss.

The decision by the District Court that the Plaintiff stated

a claim for relief bars re-litigation and is a decision on the merits.

Let the Plaintiff be very clear, the Plaintiff did not sue the CMHC Board. Dr. Lwithcam is the original complaint, Document 62 was sued with Dr. Penn.

The Texas Attorney General put the CMHC of 2017 and the suit because they could provide relief.

Now, when we deal with Boards, all government in the United States are styled as Corporation Board from the President of the United States to the lowest being county government.

At the county level you normally have a County Judge presiding over the County Commissioners. The County Judge is considered the permanent chair, elected every 6 years, the County Commissioners are board members elected every two years.

In the present case, the CMHC has a permanent chair its Defendant Dr. Lwithcam. Board members will come and go but the permanent chair remains.

Dr. Lwithcam is the majority whip of the CMHC, she's the Boss.

Again let the Plaintiff be very clear, the Plaintiff stated a claim for relief, once a claim was stated for relief, the Defendants may not appeal an order denying an FRCP 12(b)(6) motion under the standard of Jackson-v-City of Alaska 73 F3d 60, 62 (5th Cir 1996)

When the new board members were substituted, Civil Action 2:17-cv-18 was already decided and its merits and litigation was closed.

FRCP 25, (2)(c) Transfer of Interest, that rule is quite clear,

In case of transfer of interest, the action may be continued by and against the original party, unless the court upon motion directs the person to whom the action is transferred to be substituted in the action and joined with the original parties.

The Court has members of the original party — Lenthicum, Jumper, Hudson.

All new members are joined with

the original parties. The original parties have been dismissed and their efforts to dismiss the present civil action for failure to state a claim for relief

The Texas Attorney General, and their co-conspirators

The court realize that in 6 months are have civil action 2:17-cv-18 in the Court for 5 years on just procedurs !! This is what gives law a bad name

the Plaintiff has been in these kind of situations, her mind is clear, steady and she has the determination to sweat it out,

Your Honor, they are going to answer this Civil action

- Need the court to clearly define the issue Garcia is raising
- Need the court to note, the CMHC were in the suit do to the Texas Attorney General and the Court as the ones that could give me relief
- Dr. Linthicum was the one the Plaintiff sued, she's the whip of the CMHC
- Give the Plaintiff permission to by-pass the District Judge and go right to the 5th circuit to settle Garcia issue to do a 2nd dismissal.
- The Stay stops everything, so all the due dates are out the window. The Court should take notice, interested parties are waking up, be prepared for strange people to show up.

This is not the Plaintiff doing. Its one thing to walk fearlessly and impartially with the public at large, but 5 years on procedurs, Really !! what do you call this? , its also called not wanting to take on responsibility, and walk fearlessly and impartially with the public at large and deny Equal Protection to the Plaintiff for being a Transsexual woman, fearlessly know the Courts/law have your back

- The Plaintiff reminds the Court, her Motion for Production of Documents was struck by the Court and she had to file direct with the Defendants.

- On the 5th Circuit Joint Motion to Stay
p 6 of 10.

The Defendants said: As Haverkamp's situation has not changed since her first stay, there is no basis to find a stay will irreparable harm her now.

- Your Honor, I am being Harmed, I do not get any relief on the Non-Invasive treatment in Gibson/Collier.

- You got 3 interested parties with serious self damage and no treatment or relief.

- You got a real Freeze Frame policy that going on where you get a Bra/Hormone, yet are denied the Significant Relief in Gibson supra. And it continues, And it won't stop.

- The Plaintiff filed a temporary restraining order — it was ignored.

• Your Honor, I signed on June 8, 2020
an order from the Texas Attorney General they
wanted a response to the Motion for
protective order.

I filed a response on the same day, June 8, 2020

• On June 9, 2020 I got issued a court order
document 171 granting the Defendants motion
for a protective order.

• The odd thing here is the Court order
is signed June 3, 2020

• Your Honor, this makes the Plaintiff
look like a fool and says volumes that the
Defendants get what they want, regardless
of what the Plaintiff files or when its filed
or what the Plaintiff says.

• I never saw D.E. 158, its just a
show to allow the Defendants time to get
a Stay before the 5th Circuit that's all
this is about.

• There's nothing more the Plaintiff
can say, the June 3, 2020 Court order says
it all — it don't matter what the
Plaintiff says.

With respect

Ms Bobbie

June 14, 2020

Certification of Service

The Plaintiff swears on penalty of perjury that she drop this in the prison mail Box on _____ to be delivered to the Clerk of the courts to file and mail to the following Attorneys:

1. Texas Attorney General - Corbello
P.O. Box 12548
Austin, Texas 78711-2548

and

2. Right Behind Bars
Samuel Weiss - Attorney at Law
416 Florida Ave., NW 205152
Washington, D.C.
20001

Exhibit

ENTERED

June 03, 2020

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

DAVID ALLEN HAVERKAMP; aka
HAVERKAMP,

Plaintiff,

VS.

JOSEPH PENN, *et al*,

Defendants.

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CIVIL ACTION NO. 2:17-CV-18

**ORDER GRANTING DEFENDANTS' MOTION FOR PROTECTIVE ORDER
& DENYING PLAINTIFF'S MOTION FOR PRODUCTION OF DOCUMENTS**

The Court has reviewed Defendants' Joint Motion for Protective Order (D.E. 169).

Never got this
What is this?

The Court finds that good cause exists to grant a temporary stay of discovery.

It is hereby **ORDERED** that Defendants' motion (D.E. 169) is **GRANTED**. This Court hereby **ORDERS** that all discovery served in this case shall be stayed, and no further discovery shall be served, until Defendants' motion to dismiss (D.E. 158) is resolved.

never got this
what is this, the 2nd motion to dismiss?

The Court has further considered Plaintiff's Motion for Production of Documents (D.E. 170). The motion is **DENIED** at this time because the Court has granted this temporary stay of discovery.

ORDERED this 3rd day of June, 2020.


Julie K. Hampton
United States Magistrate Judge

*What temporary
30 days? or
3 years?*

*Odd, I never
received # 158 or 169*